

SOCIAL ACTION

VOL. 8 NO. 2

FEBRUARY 1958

IN THIS ISSUE	EDITOR 49
THIS SIDE AND THAT	A. L. 51
CONFERENCES OF SOCIAL WORK	A. FONSECA 56
MINIMUM STANDARDS IN CARE INSTITUTIONS	J. P. VALAVI 72
DOCUMENTATION	C. C. C. 78
SOCIAL TRENDS ABROAD	M. U. A. 83
SOCIAL SURVEY	F. C. R. 92

In This Issue

The beginning of 1958 was marked by a spate of Conferences in the country. Two of these Conferences are of special interest to our readers, and they have been duly out lined and analysed in these pages. Both of them were of considerable significance for the welfare of our country and if the many recommendations taken at the Conferences assume flesh and blood, they will doubtless constitute a step forward in our march towards a happier and a more contented society. Besides formulating recommendations however, every Conference is a meeting place of minds and hearts, and if the emotions aroused by such comminglings have escaped our pen, it is not for lack of appreciation but rather for the fact that the delegates to the Conferences have carried them home and will convey them to those whom they serve in a much more subtle and intimate way.

Care Institutions

There is the special article on Care Institutions, written by one who has had extensive experience in this field in Kerala. This article had been particularly prepared for the workshop of the Sisters during the Catholic Social Conference. If it appears to be too detailed and specialised,

one must realise that social service agencies in India are still in their infancy where up-to-date methods and angles of approach are concerned. The publication of the article is to satisfy many urgent requests for the information it contains.

The Child

One of the largest sections of the population who are the recipients of a variety of social services are the children. The Pope speaks of the importance of the family in the upbringing of children and the place of society in making up for the deficiencies of the family, and his address forms the subject matter for the section under Documentation.

Foreign Journals

An important article on the *Personalization of Power* by Antonio Perpina Rodriguez, Professor of Political Law at the University of Madrid appeared in the July-December issue of "Revista Internacional del Sociologia". A critical analysis of this article has been given under "Social Trends Abroad."

Social Legislation

Finally, included in this issue, are some of the latest bills on wages, the prevention of corruption, and domicile, either awaiting the assent of Parliament, or passed by Parliament and soon to be enforced.

The Editor

This Side and That

A Communist Trend

The reaction of the Soviet press to scientific achievements illustrated at the satellite and missile levels, reveals a decided change in Communist ideology. The trend is patent since the end of the second world war. Orthodox Marxism is a philosophy ; present-day Communism tends to drift into a method of industrialisation, which is effective in countries where capitalism has not succeeded, or has not been tried. This explains how the temptation to admit the Communist method of industrialisation is less strong in nations which are already industrialised like Western Europe and the U.S.A. than in the countries which are thirsting for industrialisation, particularly if they have no experience of democratic life.

In Western Europe and the U.S.A., private enterprise was sufficiently equipped to deal with large-scale industrialisation : natural wealth was plentiful, coal close to iron mines, and factories near the sea-shore. In contrast, the exploitation of Siberia implies levelling down mountains, diverting rivers and working in scattered coal and iron mines. In China the coal-fields are along the Yellow river which is not navigable, and iron ore is far away. Under such circumstances, private enterprise feels hesitant and powerless, just as it felt short of means in the U.S.A. when tackling the problems of the Tennessee Valley. Many regions of India are in a similar context. What could private resources do to leaven up the masses ? And what else but organisation on a national and even international scale could promote the desired industrial development ?

Happily the democratic sense is so deeply rooted in India that everything will be tried before any attempt be made at an alluring dictatorship. A like democratic

tradition of development not only for the people but by the people explains how in nations with parliamentary institutions, socialist parties are allergic to Communist invitations. It is also to be noted that even in Sovietland deviations from Orthodox Marxism are patent and that the dictatorial structures had to bend under the resistance of the individual citizen and his craving for personal freedom ; as instances one may quote the Kolkhoze market, the very existence of money which reveals private incomes and their guarantee of a certain liberty, the floating of State bonds bought with private savings ; more recently the tendency to decentralise particular undertakings, and also the enlarged freedom granted to trade-unions in their elections and in their resistance to individual dismissals.

Reverse Trends

A double movement can be observed all through the world economy. In the U. S. A., Britain, and other countries where economic development was achieved on the postulates of capitalism and on the principles of democracy, their economic liberalism is undergoing progressive socialisation (gradual State intervention, anti-trust laws, industrial and commercial legislation, social security and insurance, welfare measures, minimum wages, redistribution of the national incomes through taxation, etc.). Conversely in countries like Soviet Russia and the peoples' democracies of Eastern Europe, absolute socialism is being gradually tempered with capitalist features and factors (some free marketing, graduated salaries and wages, growth of private incomes, etc.).

Those two movements appear to converge towards a mutual accommodation between the two poles of society, the citizen's personal freedom and the common good, an accommodation that must be judged according to its inspiration, contents and circumstances.

Such a double evolution betrays not only the foibles of human nature, but also a lack of a complete analysis of the human person and of human society. Neither economic liberalism nor state dictatorship entertains a full view of the human person who is essentially both individual and social.

On the other hand as the individual person is prior to society, it is normal to start economic development on a basis of individual freedom rather than of state absolutism. Even pragmatically it is an easier approach to optimum conditions for the maximum number, considering that the human person is not totally immersed in life merely economic. The State can more easily restrain, direct and regulate the citizen than the citizen can bring the State to retrench some of its powers for the sake of liberty when the State has arrogated to itself both economic and political powers. What State has ever been prone or willing to surrender some of its powers? Do we not observe that the process of socialisation in a democracy is faster and smoother than gradual liberalisation in a dictatorship?

A Second Communist Trend

A second trend in Communist practice and theory is no less noticeable, namely anti-colonialism. Orthodox Marxism would have it that history is determined by the struggle between the two social classes, capitalists and workmen. Classes are emerging in Sovietland and its satellites, the directors and the directed, with the contradictory features obtaining in capitalist economies; and thus it would be delicate or unrealistic to go on speaking of class-warfare as the master-key of social evolution. On the other hand, in many underdeveloped areas of the world, there is an upsurge of peoples towards self-government and independence. What better opportunity could there be for Communists to push their propaganda on a world-scale? What more favour-

able circumstances could there be to promote rebellion against the capitalist countries, provoke a revolution and establish a regime of industrialisation on a dictatorship basis? With peoples who have never known but misery and authoritarian rule, the promise of a paradise on earth from anybody and anywhere can readily rouse all passions and forces. It is again a case of the exploited against the exploiters, no more divided into classes of the same nation or of the world, but of nations against nations. The shift is from the social to the political plane, from the national to the international level.

On the other hand, there is little uniform progress of political and economic emancipation fostered by the colonial powers, and though there is no relaxation, there is rather a lightening of the imperialist hold which Sovietland maintains on the countries it absorbed or subjugated after the last world-war.

Bengal Refugees

Among the most intractable problems of India the refugee problem in West Bengal stands in a class by itself. With the 1947 partition, the migration movement across West India's frontier was a two-way traffic, and came to a stop early enough. Not so across the Eastern frontier; out of the twelve million Hindus which partition left in East-Bengal, some four millions migrated to West-Bengal without Muslim masses leaving for East-Pakistan. The worst feature is that the same migration movement goes on; last year some 250,000 Hindus abandoned homes and fields in Pakistan to find some sort of shelter and living in India.

No large-scale assistance from international sources was sought or received and West-Bengal with its overpopulation and restricted area had and has little to offer; neither land nor industrial occupation is available to the refugees. Neighbouring states have offered little help and West-Bengal

with Central assistance is to bear a heavy burden. Hundreds of thousands are accommodated in camps or stranded along the railway line and station-platforms. West-Bengal has now made it its policy to debar new entrants, though a trickle goes on more or less subreptitiously.

Why should those simple peasants run away from their ancestral lands and risk the misery of a hopeless migration? One answer which unveils the economic conditions of millions in our subcontinent holds good for the masses: they are only exchanging one type of misery for another. Yet a psychological factor must have forced a decision on them; they were afraid, afraid not exactly because of actual persecution, but afraid of possible trouble, a fear born largely of the tales of horror which happened at the time of partition, and went on being bruited in the countryside.

It speaks highly of the spirit of the Government of India and of West-Bengal that a Muslim mass-migration in reverse did not take place. This however should not blind us to the fact that in West-Bengal there smoulders an anti-Muslim resentment, which is widespread, if restrained up to the present. On the other hand, the government of East-Pakistan who need the Hindu vote to remain well in the saddle, are trying their best to allay fear and suspicion, even though the scattered villages are somewhat slow to recover their sense of security. A hopeful symptom is the determination in East-Pakistan to maintain a system of joint-electorate that would assuage Hindu fears and make all equal partners and first-class citizens in the country. Regretably, the policy of West-Pakistan militates against such a result and thus maintains an antagonism between West and East-Pakistan which it will be hard to tone down and efface.

Arousing Youth

In the course of the winter, an overflow of eloquence was diverted towards the younger generation: young

volunteers, college students, high school children were addressed, harangued, talked to and talked at. In most of the speeches there was a clear evidence of the preoccupation among the elders about the crisis of character in our modern youth, particularly the modernest among the most modern. "Honesty, integrity, sense of social and civic obligations are on the decline", so we were told. Young people, especially among the urban educated sector, are distraught by the clash between the moral traditions of home and community, and the complex of economic and social values recently acquired. Such a clash and cleavage between the apparent values of political advance and economic progress and the real values of ethics and spirituality call for notice, study and remedies. Should not one conclude, a priori as it were, that social and moral science should be reinforced in schools and colleges? Let not the elders fail our youth.

A. L.

Conferences of Social Work

The Indian Conference of Social Work held its annual convention in Madras during Christmastide. This was the tenth session of the Conference, and its sponsors rightly judged that the time had come for an evaluation of its work during the last ten years. The theme of the Conference was therefore '*Social Work in Retrospect and Prospect*'. It was intended to review the progress of social work in India ever since independence and the part that had been played by the Indian Conference of Social Work in promoting such work and counselling the Government with expert advice on the latter's welfare programmes. But the future was not forgotten in glorying over past achievements. India's economic development is causing social problems

of its own and these have to be reckoned with in time, if the country is to escape the misery and anguish that the West has experienced on its road to industrial advancement. Finally since the Conference is composed of both professional and voluntary social workers, who come from all communities, a symposium on 'My Approach to Social Work' had been arranged to give them an opportunity of revealing the peculiar outlook on social problems that each brings to social work and which inspires his social service. Finally there was an attempt at objectively evaluating the work done during the past ten years by the Indian Conference of Social Work according to the objectives laid down in its constitutions.

Development of Social Work

There is no doubt that the Indian Conference of Social Work has done its little bit to promote social work in this country ever since its inception in 1947. For one thing, it has become the meeting place for social workers both professional and voluntary, the platform where they can express their opinions about matters social and bring them to the notice of the public, a forum for discussion about highly controversial matters among themselves, a centre of information and a useful agency built up by private initiative for advising and influencing the social policy of Government. An account of the variety of the projects undertaken either directly or indirectly by the Conference was outlined in the presidential address of Smt. Hansa Mehta. The Indian Conference of Social Work, she said, has

"primarily devoted itself to stimulate public interest in social needs, to interpret social problems to the community at large and to the authorities concerned, to foster scientific standards in professional social work and to bring about co-ordination of welfare services so as to produce optimum efficiency."

She then mentioned the specific fields of Government policy that had been influenced by the decisions of the Conference. The Social Welfare Board at the Centre and the Ministries of Social Welfare in several States that have been established on the advice of the Conference. The only pity seems to be that they have not been staffed by the requisite-trained personnel. The Conference has also undertaken scientific research into the study of social problems. The beggar problem has been studied under the auspices of the Conference in many cities in India and its conclusions are being enforced both in Bombay and Ernakulam. Another research project is being currently executed concerning the prevention of certain types of delinquency resulting from social changes.

Social work is sought to be co-ordinated all over the country through the publication of Directories of Social Welfare Agencies and their activities in the different States. The Conference has a few publications to its credit, and has successfully sponsored a School of Social Work in Madras, a Family Welfare Agency in the labour areas in Bombay, and has launched the All-India Conference of Labour and Welfare Officers at Bombay in 1953. The Hyderabad Branch of the Conference has built up a fully equipped and up-to-date Institute of Radiology and Cancer Hospital.

Finally the Conference has encouraged the establishment of institutions for the training of social workers. There are seven post graduate schools of social service existing in the country today besides several other agencies busy with such work in some form or other. The Seminars promoted by the Conference have done valuable spade work in getting together expert counsel for the solution of some of the main social problems of the country, such as the elimination of slums in urban areas, the removal of Casteism and Untouchability, and the problem of Harijan Welfare.

This record bears ample testimony to the good work turned out by the Conference. It is not easy to organise private initiative on a common platform in a vast sub-continent like India where there are so many conflicting social traditions and rivalries. In this respect the Conference has done yeoman work, in so far as it has helped to build up a common consciousness of social service and stressed the scientific approach to social work. But one may well ask whether it has really succeeded in tackling the social problem of the country as it exists in reality. Most of its members come from urban centres, and most of its research projects are concerned with problems arising out of urbanisation. But the social problems of India are essentially bound up with her agriculture and her vast peasant population. And in this respect the Conference has dismally failed to provide any solution. Community Development and Tribal Welfare have been subjects for past sessions of the Conference, but the discussions have been superficial and the discussants unacquainted in a live way with the problems to which they dared to offer a solution.

India's social problems are of a massive character. There is mass illiteracy, mass ill-health, mass poverty, mass ignorance and passivity in the country. How are these problems to be tackled? The Bhoodan and the Gramdan Movements are in the Indian tradition and are likely to influence the peasantry more than any number of trained social workers on the American pattern our Institutes of Social Work are producing. Gandhigram seems to point out a more realistic way because it is closely in touch with India's peasantry and can evaluate its efforts on the spot. And yet none of these movements have ever figured largely in any of the programmes of the Conference. Till this is done the Conference will never be able to say that it has tackled the social welfare problem in India. Even with regard to industry, our training institutions are busy with

turning out labour welfare officers in large numbers. But how far are these men contributing to the establishment of better human relations in the factory, or the mine or the plantation? In most cases they are regarded as stooges of management by the workers and are grudgingly accepted by the employer because the law requires it. In many cases in spite of their best intentions they are handicapped by the peculiar position in which they are. On the other hand, there are very few men trained for community organisation in rural areas and yet this seems to be the most urgent need of the hour.

Economic Development

The social consequences of economic development practically formed the theme of this session of the Conference. On this subject, Dr. Rao, the Vice-Chancellor of the University of New Delhi, made the most provoking and challenging speech of the Conference and placed the problem squarely before his audience. He stressed the importance of taking proper action to meet the new community needs that are bound to emerge through the planned economic development that is taking place in this country of large numbers and backward, poverty-stricken areas. But the planned economic development would lead to urbanisation, industrialisation and mechanisation as it had done in other countries. Dr. Rao therefore suggested that the ancient village economy would have to be scrapped and that our villages should grow smaller in number, but larger in the size of the population, in which case it would be possible to provide them with many of the amenities we are accustomed to in the urban areas.

Dr. Rao distinguished between three stages of economic development: (a) preparing the country for development, (b) actual process of development and (c) the consequences which will emerge after development has been achieved.

In each of these stages community needs will have to be taken care of if economic development is to be successful. For this purpose a new psychological climate must be created in the rural areas. The villagers must cultivate a positive desire for improvement of their levels of living and also believe that it is possible for this desire to be fulfilled during their lifetime, and that much of this achievement depends upon their own industry. It is only a very comprehensive system of social and adult education in the villages that will succeed in inculcating these necessary psychological attitudes.

At the same time industrialisation is leading to urbanisation in India and naturally the welfare problems of these new urban settlers needs to be tackled. These are chiefly housing, education, recreation, health, slums, etc. Dr. Rao touched on family planning as a necessary method of controlling the growth of population. But he also pleaded that such planning should not be based on any fear complex or the bogey of food scarcity, but on the natural desire of the mother to have her children provided with better opportunities and a higher standard of living than she had herself enjoyed. This opinion was later modified and Dr. Rao admitted that before family planning could be advocated much more research into the subject was necessary. The resolutions of the Conference omitted all reference to family planning.

Finally Dr. Rao stressed the need of private agencies taking the initiative and conducting welfare services as a useful balance to the growing bureaucracy resulting from economic planning.

Most of the recommendations of the Conference about economic planning and new welfare needs were worded in line with Dr. Rao's observations. But the core of the prob-

lem still remained untouched. Much more attention should have been concentrated on the rural aspect of the problem and many more positive ways of affecting the villager and getting him to change his attitudes should have been investigated and suggested. Institutes of rural research and establishments training village-level social workers should have had the opportunity to express their opinions and experiences, but none of their representatives was present.

Welfare and the Socialistic State

This was another aspect of the same problem, for while new welfare needs are going to arise out of a developing economy, Government policy of establishing a socialistic state involving the widest possible distribution of increased production and effecting a rapid rise in the levels of living, naturally compelled the administration to adopt a welfare outlook. The former bureaucratic attitude of merely maintaining law and order must give place to a conscious effort to satisfy the needs of the people and plan for the welfare of the community. It was therefore recommended that social justice rather than charity should be the basis of all welfare policies and programmes organised by the State and other voluntary agencies. More emphasis was to be laid on preventive services rather than curative ones, and on non-institutional ones like Community Centres, foster homes, etc. What part would voluntary associations play in the Socialistic State? It was generally accepted that they would still have a big role to play, but that a special Seminar should be arranged for defining their relationship with the State.

Finally, it was felt that the local governmental agencies like the Panchayats, Municipalities, and District Boards, should include the provision of welfare services within the scope of their activities, so as to bring the benefits of the Welfare State within the reach of every citizen. In general

there was great stress laid on the part that voluntary agencies should play in providing the citizen with welfare services.

Little need be said about the symposium 'My Approach to Social Work' or the other routine workshops. All these sessions attracted the keen interest of the participants, and revealed how step by step the country was equipping herself with the means to solve many of her social problems in her own way after making good use of what foreign countries had to offer in this respect.

At the closing session of the Conference it was decided that the Indian Conference of Social Work need not any longer hold annual sessions, but suggested that

"More time should now be devoted to substantive concerted thinking, consultations and guidance of affiliated or inquiring bodies on social subjects, as also to the continuous and vigilant study of growing or aggravating social problems. . . . The Conference can render greater service to the Government who will need non-official consultation much more in future . . . (as well as) to the very large number of welfare agencies and to individual Social Workers and the public."

Does this mark progress or regress, one may ask? There is no doubt that the Seminars conducted by the Indian Conference of Social Work have been pursued on an intensive scale and borne much good fruit, but the annual Conferences, besides being opportunities for contacts and tamasha, have in general tackled too many subjects or been unable to tackle them sufficiently in detail and in depth. This has been a real drawback, for the recommendations emanating from such superficial and brief discussions have become mere platitudes that have rendered the Con-

ferences a waste of time and money in the eyes of many who are in touch with the problem of the country's development. Perhaps it is wisest to concentrate on more intensive research of social problems rather than concentrate on producing showy Congresses presided over by a host of political and administrative personalities.

* * * * *

The Catholic Social Conference

Side by side with the Indian Conference of Social Work was held the Catholic Social Conference. It was attended by some 200 delegates from all over India, most of whom also participated in the Indian Conference of Social Work.

The theme of the Catholic Social Conference was "Social Welfare and the Catholic Community". Except for the Inaugural address by his Grace, the Archbishop of Verapoly, most of the work of the Conference was carried on by discussions through Workshops, for each of which a special detailed questionnaire had been prepared, and circulated beforehand.

It was generally felt that since the dawn of independence the Catholic Community had lost various former opportunities for gainful employment, especially in Government service. It had now become necessary for the Community to adjust itself to the new situation and take to industry, business or agriculture. In the meantime, several new institutes for training social workers under Catholic auspices had been established. Some co-ordination and uniformity was necessary among them. Catholic Social welfare agencies run by the Sisters needed trained personnel on their staff and would have to conform to the new requirements laid down by the Government as desirable for care institutions of every type. Since Catholic schools

cater to the needs of a large section of the population, they have special obligations to make their students more social minded and aware of their civic and social obligations. Finally the Catholic priest needs to adjust himself to the changed conditions of his flock, and seek not only to satisfy their spiritual but also their economic needs and train them for their leadership function in society. These were the different aspects under which the central theme was considered and discussed.

Inaugural Address

In his Inaugural Address, the Archbishop of Verapoly stressed the need of an All-India organisation to co-ordinate the vast amount of social work under Catholic auspices that was being performed in the country. He also insisted that Catholic social work must not remain outside the national effort in this direction, but should rather find its place in the main stream of social work. That was one of the reasons why Catholics should be encouraged to participate in organisations like the Indian Conference of Social Work, the Bharat Sevak Samaj, etc. Obviously the inspiration of Catholic Social Work was love of one's neighbour, the Second Great Commandment of the New Testament. However in carrying out this precept, Catholics should pay attention to and equip themselves with the modern techniques and skills applied in social work today. The Church needed professionally trained social workers who would also be loyal to Her social teaching. Communism had established itself in one State in India. But the answer to Communism should not only be a negative one, a theoretical answer to its postulates, but a more positive one through an increase of social work and reconstruction of society along the lines suggested in the papal encyclicals. The social question was essentially a moral one and could not be solved on the material plane alone.

The Workshops

One advantage of the workshops, especially when restricted to a few, is that there is ample scope for discussion and participation by a large number of delegates. That the discussions in the workshop were free and frank can be gauged by the conclusions arrived at by the groups. It was openly admitted that Catholic businessmen were very few, and that the Community did not take easily to industry. The cause of this apathy was traced to the fact that Catholics suffered from a lack of technical education opportunities, that they had no capital, and that there was little information regarding the various small-scale industrial schemes circulating among them. Special efforts should be made to supply this information in every diocese. Catholic educational institutions must orientate their syllabus towards the provision of technical training. An industrial estate on the model of the one to be started by the Catholics in Bombay could be started in other dioceses.

Housing was another important question that came up for discussion. It was found that in most parts Catholics, especially of the lower income group, would not be able to supply the required 1/5 of the cost of the house according to the regulations of the Co-operative Housing Schemes. It was therefore suggested that they should be assisted out of Housing Funds created from contributions by the Church and the Laity, from which advances or security for the building or improvement of the houses could be made.

There are important sections of the Catholic population occupied in fisheries. Illiteracy is the great obstacle to their improvement, the middleman swallows over 3/4 of their earnings. Co-operative Marketing societies were needed to raise their economic status, and schools to make their children skilled in their profession.

Catholic workers should be educated in the social teaching of the Church and wherever possible must support non-Communist labour organisations. On the other hand, Catholic employers are bound to practise social justice towards their employees as outlined in the Encyclicals.

Agriculture

In the workshop on Agriculture, valuable information on efforts made by Catholic agencies to improve the lot of the cultivator was brought to the notice of the delegates. In one case a Catholic plantation owner and manager had put up good brick houses consisting of two rooms, latrine and bathroom for his employees. In Cuddappah, Fr. Alexis had been able to organise an Agricultural Labour Union, whose first object was to build a Grain Bank. The Salesian experiment in North Arcot might be suitably followed elsewhere. In this case some 200 acres of waste land had been cleared and prepared for agriculture and cultivated with profit. Catholic farmers were asked not to divide their land equally among all their children because this led to fragmentation of holdings and made agriculture uneconomic. On the other hand, cottage industries should be promoted, courses in agriculture introduced in rural high schools, community centres established in each parish, lay leadership fostered, and health and sanitation programmes encouraged by the parish priest.

Training Social Workers

The workshop for training institutions of social workers of which there are a few run under Catholic auspices revealed that standards of training had to be devised and demarcated, that there had to be more co-ordination between these institutions and local social work agencies for their mutual benefit, that somehow these institutions had also to attend to creating a social consciousness among Catholics through the use of surveys, seminars, etc. They were en-

couraged to have social work camps, to get their students into touch with live social problems, and to develop an original programme of training so as to suit their students for work in an Indian background. More Catholic girls in particular should join these institutions to be trained as professional social workers.

The Sisters

In the special workshop for the Sisters who practically run most of the Catholic social welfare agencies for the orphans, the handicapped, the aged, unmarried mothers, working girls, and the destitute, the question of minimum standards in care institutions was developed and discussed. The difficulties of training the Sisters was also mentioned. But it was practically agreed that at least one or two Sisters in each institution would have to undergo full time training for a degree in social work, while the others would have to undergo intensive training for shorter periods. Steps are already being taken in the Tamil Nad region for such courses to be given next May. The Sisters were strongly encouraged not to keep out of the main stream of social welfare in the country, but to be flexible enough to co-operate with the national agencies for social welfare even if this means some sacrifice of their autonomy and the filling up of endless forms.

The Priests

In a changing world the Priest must adjust himself to new conditions that may hamper his spiritual apostolate. His training in the Seminary should be orientated in such a manner as to equip him with an awareness of the social problem as it exists here and now. But this theoretical knowledge will be deepened by practical experience during his first years in the ministry. It is very advisable that there should be frequent meetings of priests to discuss and plan united action in the face of a particular social disaster

that might suddenly befall the people or a long standing one that needs to be urgently tackled. Obviously at least one full-time priest or even better a team of priests should be set aside for the social apostolate. It was further pointed out that as long as the priest retains the financial responsibility of the social work carried out in his parish, the laity will only play a secondary role and consequently will show little or no personal responsibility and initiative. His must be the guiding hand behind the movement for social improvement; he must not lead however, but rather encourage and foster lay leadership.

The Schools

Since they provide education to a large section of the people, the schools have an important role to play both in imparting the right social principles and in producing students who are socially conscious of their obligations towards the community. The length of such courses of theoretical training was discussed and it was suggested that the teachers would first need a re-orientation course for the purpose. From the practical viewpoint, social service leagues should be started in every school and convent. The work they do should be of benefit both to the students themselves as well as to the people among whom they work. It was admitted that for boys the planning and holding of social work camps was easier than for girls; however the girls could not be neglected. Follow-up should be provided both for the students as well as for the people, especially the villagers or the slum-dwellers, with whom they worked. It was strongly emphasised that vocational guidance should be developed in our schools, and that talent for leadership should be utilised and developed among our boys and girls.

The Final Session

During the final session, most of the conclusions outlined above were accepted and endorsed. It was generally

agreed that the discussion groups had been lively and to the point. It was also admitted that while Catholic participation at the Indian Conference of Social Work had been quantitative more than qualitative, the delegates had much to learn and very useful contacts had been established. It was finally decided to make the Catholic Social Conference a corporate member of the Indian Conference of Social Work. Executive and Programme Committees for the former were also to be established.

Analysis

Though charitable work involving much self sacrifice has always been the hall-mark of Catholicism, organised social work of the modern variety which is slowly spreading in India, has still to be adopted on a large scale by Catholic social work agencies. Most of these carry on their work in the traditional style and while the spirit of dedication and disinterestedness that inspires the workers in these institutions can never be surpassed, an acquaintance with the modern techniques and skills would greatly benefit their work and make it more effective. Nor can Catholic social work agencies afford to keep aloof from the Government and voluntary type of non-Catholic social welfare schemes.

It was these two points that stood out conspicuously in the Conference. But the means to overcome these inhibitions was also indicated. The Community has taken in hand the training of its social workers; various levels of training will soon be determined and the opportunities for such training made available. A definite programme has been chalked out for this purpose.

The economic welfare of the Community, however, will depend upon an acute awareness of its needs by both clergy and laity. Much of the energies of the Community will have to be channelled away from the excessively pious, passive

and sometimes selfish exercises of devotion to a more active and constructive pattern of behaviour, that is much more in accordance with Christian charity. But a change of attitudes is always a slow process, and it is only the leaders of the Community who can bring it about. It should be clearly perceived that the material advantages of life need not necessarily undermine spiritual values ; on the contrary, they can often make a higher level of spirituality possible. The Laity especially have an obligation to come forward when the purely temporal needs of the community have to be satisfied. Their experience and business sense will stand them in good stead, because there is a vast field of social activity that pertains to the purely temporal and falls outside the limits of charity but within the frontiers of justice. In this respect the laity are better equipped than either the priests or the nuns. But a sense of co-operation and urgency in all these matters is necessary for all alike, because delay in any form may spell irreparable damage to the very existence of the Community and to its influence for good in this country.

A. Fonseca

Minimum Standards in Care Institutions

(A paper read at the Workshop for the Sisters during the Catholic Social Conference, Madras, 1957.)

We have a great tradition of social service and much experience in conducting numerous charitable institutions for aiding the victims of poverty, of disease, of faults of character and of the handicapped. The task of the social worker however, as we understand it today, is not only immediate temporary relief, but rather to discover the conditions of these various maladjustments, to trace their causes, devise agencies and methods of relief, and go to the root of the problem by initiating programmes for the prevention and rehabilitation of these unfortunate individuals. Thus the direction and content of modern social work has changed greatly from the mere administration of some services in an agency to an enlarged functioning with the definite objective of rehabilitating individuals and families mainly by orientation of the agency programme so as to stimulate the innate capacities of individuals and families to help themselves in such a way that they should ultimately be able to manage on their own. It is good to examine how far our care institutions have caught up with this new emphasis in social work ?

Christian Charity

Christian charity has been the inspiration of our work. Equal emphasis on the material and spiritual aspects of our assistance has not always been accepted ; in many cases the material aspects have been placed at a lower level and justified on the Gospel precept that 'man does not live by bread alone'. However, our objectives and methods need to be geared to the modern concepts in social work which implies a rethinking and a change in our method and approach. We have done well but we can do better by in-

corporating the scientific spirit and approach that permeates the social work field today. Economic and social rehabilitation, even though found present in our objectives, has occupied a place of minor importance. Our object should not be forever to administer some services for the disabled or the handicapped, but to help them to change themselves to lead an honest, independent life by the time they leave the institution. This emotional and functional rehabilitation and integration into the life of the community has to be our main concern. This would entail widening the scope of our work, and a certain degree of reorganization of our care institutions so as to make them useful and effective in this new direction.

Programme

Having discussed the principles that should underline the practice of social work as understood in the modern context, let me place before you a programme of services which every Care Institution should maintain. The task of preparing the list of services is made very easy for me, since the Indian Conference of Social Work has done some pioneering work in this direction. It has brought out a useful brochure on the subject: 'Minimum Standards for Child-care Institutions'.

These Institutions are made up of two categories: Care Institutions and Correctional Institutions. Correctional Institutions deal with the rehabilitation of persons who have violated the laws regarding the safety of either the citizen or his property. Care Institutions, with which we are concerned, deal with those in need of care services. Thus Care Institutions should provide shelter, training and rehabilitation for persons who are socially, economically or physically handicapped. Foundling Homes, Orphanages, Rescue Homes, Homes for the Aged and the Infirm fall within this category. My paper is limited to the study of

minimum standards in such institutions.

A. Physical

1. Food
2. Water supply
3. Bathing
4. Hair dressing
5. Clothing
6. Conservancy and Sanitation
7. Bedding
8. Special feasts

B. Supervision and Guidance

1. Music — vocal and instrumental
2. Immunisation
3. Psychological
4. V. D. Examination
5. Screening
6. Correspondence with parents and relatives
7. Contact with supervisory personnel

C. Educational

1. Education — liberal and vocational
2. Library
3. Training

D. Recreational

1. Medical (Physical and Psychiatric)
2. Dancing
3. Radio
4. Games and recreation
5. Relaxed atmosphere
6. Group work
7. Gymnasium
8. Swimming pool.

E. Social Re-Education Programme

1. Religious and moral instruction and exercises
2. Prayers and songs
3. Social re-education
4. Excursions and outings
5. Social service
6. Observance of national days and festivals
7. Approach facilities with voluntary workers
8. Canteen
9. Co-operative stores.

F. Rehabilitation

1. Restoration to relatives or parents
2. Adoption
3. Placement in jobs
4. Marriage
5. Sheltered workshops
6. Guidance to help disabled persons to select and attain the right job objectives.
7. Provision of tools, equipment or initial capital needed on the job, to give the rehabilitated person a fair start
8. Artificial limbs, hearing aids, etc.

G. After Care

1. Follow-up — adjustment services after placement to make sure that the rehabilitated person and his employer are satisfied with each other
2. After care hostels
3. Correspondence with ex-inmates.

Personnel Data

Care Institutions should keep a note book for each person admitted in which should be recorded the following particulars :-

- (a) Name, sex, date and nature of admission

- (b) Names, addresses, and economic status of near relatives, (father, mother, brother, sisters, sons, daughters, wife, husband, step-father, step-mother, etc.)
- (c) Reasons for leaving home and relatives
- (d) Weight, height, measurements of chest, abdomen ; conditions of teeth, gums, tongue, eyes ears and throat ; identification marks ; diseases or disabilities.
- (e) Education, or experience in any vocation
- (f) Intellectual faculties ; power of understanding ; progress in studies
- (g) Ambitions and aspirations ; attempts to achieve them
- (h) Attitude to religion and religious practices
- (i) Personality problems
- (j) Interest in fine arts
- (k) Behaviour, discipline
- (l) Attitude to relatives, associates, supervisory staff, visitors and others
- (m) Adjustment to the Institution ; interest in the activities of the institution ; attachment to inmates or members of the staff or visitors
- (n) A short biographical sketch
- (o) Quarterly review of participation in the institution's programme for education, recreation, health, vocational training, work, etc.

Our care institutions will be able to render greater services if they try to work out a programme of the type mentioned above. Not that we can tackle all these aspects immediately, because we are functioning under several limitations both financial and otherwise. But gradually we

ought to be able to rectify the defects that we come across in the administration of these institutions. Even legal limitations may be imposed, if we are not able to perfect our agencies in time. It is a bit of a paradox that the Government which had rarely shown any interest in the field of social welfare at the time when we started our institutions for the victims of society neglected both by the people and the State, should now be so apprehensive of their welfare and prescribe minimum requirements in these agencies. This however is nothing surprising since the State has set itself the task of achieving certain social welfare objectives for the community. Hence we will have to satisfy not merely our inmates, but also the Government. Our services will have to be rendered to all without distinction of caste or creed, but they could be made more effective with better training and proper administration.

Trained Personnel

Another reason for the low standards in our Institutions is possibly the absence of trained personnel. As far as feasible, social work, particularly in custodial institutions, should be managed by trained personnel. This will help to reduce considerably both the human and the financial wastage that arises from trying to cope with situations of which one has only partial understanding. In care institutions numerous problems will crop up daily and the person in charge should be equipped to handle them promptly. Any delay or incorrect or inadequate treatment may only serve to complicate matters.

Every care institution should have at least one trained social worker on the supervisory staff ; others may be given orientation in modern methods at social training institutions, or special short term courses may be organised for them. This will go a long way to improve the quality and efficacy of our social work in these agencies.

Finally, the aim of our care institutions should be to educate, train and rehabilitate handicapped persons for life as normal citizens in society. Vocational rehabilitation should develop, preserve or restore the ability of the disabled person to perform remunerative work, and become a self-supporting citizen of the community. Unless we enable him to do this, he will remain a drain on society. We should therefore plan our services in such a way that our inmates will be able to hold their own in society as wealth producers, and not only as wealth consumers. Investment with this objective in view will give the largest returns, both economically, socially and spiritually.

J. P. Valavi

Documentation

THE MORAL AND PHYSICAL DEVELOPMENT OF THE CHILD

(On the 6th of January 1957, the Holy Father sent a radio message to the Italian National Organisation for the Protection of Women and Children, on the occasion of their celebration of "Mothers' and Children's Day.").

The Holy Father's Concern

While it is well known that there are numerous Christian families in which the child is the object of tender affection and care, yet We are filled with a sentiment of profound pity and our heart is torn with anxious care concerning the great number of children who, through poverty, sickness, war or other unfortunate events have been deprived of the ordinary means of development — orphans, destitute children and those morally or totally abandoned who quite early in life have been caught and plunged in the most bitter sufferings. The numbers of those

struck down in body and soul by unforeseen happenings are already great ; but how many others are the innocent victims of the faults of others, and of the miseries which spring from social and moral conditions in which they live !

The need of family influence in the development of the Child

In what way, then, is one to remedy these sad conditions ? Whose prime duty is it to make sure that the tears of mothers shall not flow ? Those tears which, at the mystery of the Epiphany, disturbed the serene infancy of Jesus. Doubtless it is the duty of parents. And yet, how many spouses, at the time of marriage, have but a vague and imperfect idea of their future office as educators and of the demands of that office.

At birth the child should be welcomed into a home which should be able to provide all that it needs for the health and development of its mind and body, so that in the fulness of time, the child may itself take up its own civic duties. Modern psychology and pedagogy strongly stress the importance of child-education. During this period the child is not educated by any oral instruction but, and above all, by the home environment — the very presence and conduct of its parents, its brothers and sisters, the neighbourhood and the current daily life and by everything it sees and hears. Each of these factors, though of little importance by itself, stamps itself on the child, and slowly determines the fundamental attitudes of life — confidence in others, docility, initiative, discipline, respect for authority, or selfishness, insubordination and a spirit of rebellion. The gentle but constant action in a healthy, well-knit and ordered home shapes natural instincts. It gives meaning to human instincts, co-ordinates them and develops a well-balanced individual and social personality. On the other hand family disorganisation has repercussions on the child-

ren, and renders them unstable, victims of physical and mental distress and incapable of establishing any harmony between their innate tendencies and ideal moral conduct.

Difficulties of child-education

If in some homes shortcomings are more or less evident, but which are due to human imperfections ; others, unfortunately have suffered such upheavals that they are rendered truly incapable of fulfilling their educational functions. Not to speak of children born out of wedlock and who present a special problem, it is common knowledge that present social conditions often create such serious difficulties for parents that sometimes it is quite impossible for them to provide their offspring with all that is essential for their material and moral well being.

We refer to families of emigrants and of refugees; of those whose bread-winner is unemployed or who receives an insufficient wage ; of those families from which the mother is ordinarily absent due to her job ; of those families which are housed in over-crowded and unhealthy dwellings lacking all privacy and open to every breath of gossip harmless, perhaps, for the grown and discerning adult, but harmful to innocent souls, and which, moreover, by evil schemes tends to supplant the influence of parents.

Even when these circumstances are not so distressing, one often hears all too frequently to-day complaints against the inconsiderate behaviour of parents who, without any reasonable excuse, renounce their parental responsibility with regard to the education of their children. To such parents We would address an appeal. Let them consider the grandeur of their task. Let them effectively use their authority, *wisely and moderately*, so that the child be educated to overcome its instinctive tendencies, to stimulate its good-will and to arouse its intelligence and affections.

Let them pass on to the child the precious heritage of the most wonderful and noble traditions of human and Christian culture. What intimate joys are reserved for such parents who are concerned about the education of their children; parents who do not consider the child merely as a "charge" or a toy, but are passionately devoted to their offspring. The pains and anxieties which this demands, are more than compensated for by the astonishing marvels they observe in the physical and spiritual development of the child.

The responsibility of society towards children

The duty of protecting the young, however, is not the concern of parents only. Keeping within just limits this is the responsibility of all members of society. Ought not every adult, man or woman, who along the road of life, looks upon these innocent faces of the young, ask himself if his speech, his conduct, his thoughts and desires are not an occasion of disturbance and misconduct for the young confided to his care, or for those whom he may meet on the road or in public places? Even if there is no thought and even no desire to harm the young, his example furrows their brows: big questioning eyes follow him and take in his conduct. Does he ever ask himself what pictures and what impressions catch the attention of these little people who are entirely receptive, sensitive to their surroundings and helplessly exposed to the good and evil which surrounds them? How much better would the world be if the thought never to wound the souls of little ones was always present in the minds of all!

Institutional remedies for family deficiencies

The all-round protection of children requires, moreover, that specialised institutions, such as, medical clinics, homes, children's townships, children's colonies, institutions for rehabilitation give special care to such families which are

seriously deficient in the discharge of their natural functions in the fields of physical, intellectual and moral education. Such children deprived of all material help, and more so, of all affection which their age demands, will easily become, if left to themselves, not only useless social elements, but very often dangerous and increase the number of young delinquents. This is why We view with deep satisfaction generous enterprises, both private and public, which are devoted to the protection of children and youths..... On the one hand, because technological progress demands specialised ability, and on the other, since social and political evolution require the active participation of every citizen for the welfare of institutions, the education of the young becomes a long and hard effort using ways and methods which are often burdensome. But this is not a reason for withdrawing before the greatness of the task. Social disequilibrium is a troublesome factor. A comprehensive and well planned system of collaboration must prevent the dissipation of the nation's most precious treasure, the power of its youth, so that these may not, through the indifference of responsible organisations, go to swell the ranks of those who are unqualified for any task, and find it difficult to attain any degree of perfection in the cultural and moral sphere.

C. C. C.

Social Trends Abroad

The Personalization of Power

Prof. Perpiná had previously analysed (In an article in the "Revista Internacional del Sociologia" No. 52.) the "Institutionalization of Power", thereby studying the need and universal tendency to render power impersonal and institutionalized through legal, constitutional and custom-bound mechanisms. In the present article under analysis he tries to discover the sociological laws which, beyond and independently of the psychic urges of the so-called ambitious individuals, impel the rulers in general to use the political power for their own private interest instead of the common good. Here lies the originality of his contribution; the common fact of the ruler trying to favour his own interests is not a chance occurrence in the case of ambitious individuals, but the result of deep sociological tendencies which can be termed sociological laws. The psychological motivation of the individual is not ignored, for the root-cause of power-personalization is the selfishness inherent in human nature. This explains the failure of the French "Institutional School" which envisages the founding of a State on objective constitutional lines as the result of purely altruistic urges. And this assumption runs counter also to the behaviourist schools, which would be logically unable to explain this common phenomenon of power-personalization in a completely institutionalized environment. For the fact is patent that no system can eliminate the will to power (the domineering egoism). This is a constant mainly in the character of the male called to leadership: the 'eternal masculine'. It remains as a necessary starting point for Sociology and Political

Science. This male characteristic is a kind of "sociological Salic Law". Prof. Perpiná sees this perpetual domineering egoism working through three sociological laws:

1. The Law of Reservation of Power

This law comes into play when the starting point is a situation of absolute personalization of power. The individual dominates and rules before any institutionalization of power has taken place. But in order to insure the continuation of this power, the ruler goes out of his way to institutionalize it. He gives up his purely *personal* and establishes instead an objective and impersonal situation. Before, he was the ruler by personal prestige or power. Now, there is a constitutional apparatus and a legal head of state which he may 'chance' to occupy. But since this objectivisation is motivated by the leader's desire to keep power or to reinforce it, it is but natural that the leader who yields or devolves power to a group, should keep back some of it for his own personal advantage in opposition to the common good. The social situation may have changed but the man remains the same. A total disinterestedness, says Perpiná, runs counter to the most basic law of his being and would be tantamount to a miracle. Perpiná exemplifies this with Augustus, the European Monarchs, the founders of charity trusts and modern profit-sharing or partnership in Industry. Such renunciations of power are usually the result of exhaustion in commanding and are intended less for the common good than for the establishment of a new situation in which the former leader or ruler will continue to retain at least the advantage of public recognition and gratitude for his disinterestedness.

Power is preserved at two different levels; at the level of *ends* and aims, where the benefits derived from the state are for the profit of the rulers; and at the level of *formal* organization, when things are so arranged that the

personal superiority of the leader over the people and the law is still preserved.

The personal power arising from personal superiority arouses in the rulers two types of motivation: (a) the '*libido dominandi*' which is equivalent to the will to power; the pure urge to command and domineer over others, and (b) the *desire for advantages* heavily loaded with power, so as to make submission and obedience instruments of the so called 'administrative values'.

After the institutionalization of power has taken place, these two motivations, though apparently transformed, still continue to have influence. There is no perfect objectivisation of power i.e. no perfect fool-proof constitutional machine against the personal ambition of the individuals. And the reservation of powers prevents the art of government from being exercised for the sake of the common good. "He who places his personal influence and prestige at the service of an objective social enterprise does not resign himself to be one of the crowd in the new situation created, but wants to continue wielding power." This explains why party leaders usually become heads of Government. His electoral campaign or revolutionary upheaval was not as disinterested as he proclaimed. He intended at the same time an increase or revalorization of his power in its *qualitative* (more firm and stable) and *quantitative* (more subjects) dimensions. The para-political advantages are not to be despised either. And when the hunted guerilla leader succeeds in overthrowing the government, it is natural that he should find a fit reward for the undergone hardships in the presidential palace.

The reservation of power at the level of formal organization has a still greater sociological importance. It means that the absolute objectivisation and depersonalisation of

power can never be achieved through institutionalization, for there always remains a residue of personal power. The person of the founder of that constitutional machine does not simply disappear in the anonymity of organized power :

(i)—There is an innate tendency to preserve the *name* (cf. Augustus and lists of Monarchs with the same name followed by numbers).

(ii)—There is also — and this is more serious — effective reservation of power in the very constitution of the institutionalized governmental machine. The constitutional States established *by* the kings were also *for* the kings.

(iii)—Then there is the reservation of power not only for the “founder” but also for his entourage and retinue of camp followers, thus giving rise to the hierarchic pyramid with its intermediary power-groups between the ruler and the mass. This is the well known fact of nepotism and favouritism, be it based on blood, friendship or ideological relationships. This appears in its extreme form when the pre-constitutional status becomes institutionalized : thus we have the phenomenon of blood-aristocracy and heirlooms of power and privileged positions.

2. The Law of Appropriation of Power

This law presupposes a different situation. The power has already been sufficiently depersonalized through constitutional mechanisms. Then there comes the infiltration of the individuals — impelled by the will to power — into the cogs of the machine to make it work to their own advantage. Thus what was originally alien to and independent from the rulers is appropriated by them as their own. Through the informal and non-organized use of power, the private good of the rulers is served at the expense of the common good.

In a manner hardly perceptible a metamorphosis takes place : the change of jurisdictional power (‘Potestas Juri-

dictionis') into dominative power ('Potestas dominativa'). The right to rule becomes the right to own. Power wielded is identified with Property acquired. Prof. Perpiná illustrates these concepts with the homely example of the distinction between the office and the home. A distinction is to be kept always between the two. The boss in the office is the owner and draws money for the house or personal purposes without any formality ; this is called mis-administration. If the boss of the office is a mere manager and disposes of the things of the office as his own, this is called misappropriation. This misappropriation of institutionalized things may run from simple appropriation of pencils from the office to the appointment of inept persons to jobs left to him to provide.

Here, in a way, the evil is greater than in the case of reservation of power. In the second case, the ruler administers the 'republic' as *his own* with a kind of family interest. In the former, that effective link or interest is lost and the ruler may be ready to sacrifice the hen for the eggs. A long tenure of office may add to the incentive of keeping the hen alive.

There is a specific form of "appropriation" which Prof. Perpiná calls "profesionalisation". This takes place when the sense of duty to serve the country is replaced by a professional paid "Civil Service". This then becomes a mode of livelihood handsomely paid and anxiously looked up to. 'Politics' here gives place to 'economy' and the will-to-power to the will-to-possess.

Coming back to the usurpers of power working within the constitutional framework, they will manipulate the course of events in such a way that their anti-social tendencies will be finally served with a mechanism which naturally is intended and arranged to serve the common good.

The appropriation of power — even if not intended — is inevitably the forerunner of tyranny. This has been

studied by R. Michels in the cliques and minorities controlling the political parties and socialist Trade Unions. He has, thereby, concluded to what he calls the "iron law of the oligarchy". A law which more than an impulse to create domination is rather the result of the psychological transformation that takes place in the mind of those who remain for long in power. Michels describes this psychological transformation taking place even in the best intentioned people. It is a re-statement of Lord Acton's famous dictum: "Power always corrupts...."

According to Michels this deviation can develop in spite of the best intentions of the leaders; but Perpiná adds that leaving aside intentions, this always happens in spite of the best possible constitutional guarantees and that it will never be possible to suppress it altogether, even though it can be minimized.

This tendency to wield power to one's own advantage is further accentuated by the 'law of imitation' in its more forceful aspect which is the 'law of bad example'. The bad example in "appropriation" is followed not only when it comes from the "founder" or one's own predecessors, but even when it comes from one's hated enemies. This the ordinary occurrence in the case of revolutionary leaders or 'Military Juntas' taking over the power from the tyrant and establishing again a new sort of tyranny.

3. *The Law of Political Boomerang*

(Domineering Callosity in Perpiná's jargon) The starting point is a situation arising from the previous law, in an attempt to find institutional remedies to the appropriation of power. These remedies range from ineffectually reminding the ruler of the sacredness and supreme authority of the moral and natural law, of the inviolability of the positive law by the executive, to invoking the right of

tyrannicide, without forgetting the copious statements on the "duties" of the rulers and the "rights" of the governed. All these arguments have one thing in common, viz. that power should be subservient to the law and that only thus can the anti-social use of power be checked.

But all this remains on the ideal plane. We have finally to agree with Montesquieu that in real life: "if power is not to be abused, it is necessary in the nature of things, that power should be made a check to power."

Now, the mechanism arising from the checking of power with power may with equal probability lead to the desired end or to the contrary, establishing a nucleus of anti-social domination. For what *apriori* guarantee can there be that the checking power will be better than the power to be checked, and that sooner or later the former will not be induced to the same process of appropriation?

Prof. Perpiná goes on to prove the truth of Montesquieu's statement by applying an argument from homeopathic medicine. The check to power has to be then a human will also. But not an amorphous, unorganized mass of human wills. The mass can have only a passing and sporadic influence (v.g. popular upheavals). In order to check constantly the governing minority, the mass has to be organized. This organization takes place only by breaking the unity and homogeneity of the mass, by giving rise to certain superstructures or organs of action, separated from the mass that originates them. The only efficacious way in which these organs can act is by being endowed with certain functions (directive and coercive) in short by becoming power-bearing institutions: i.e. only power can be a check to power.

The tragic fate of human nature is such that in order to prevent the abuse of power, it has to establish another power. This is to plunge into the lake to escape the rain.

There is a physiological phenomenon similar to this and after which Prof. Perpiná has named his law: The soft skin to defend itself from a harsh rubbing surface develops a callosity. This hardened lump, which was meant to protect, becomes now a body foreign to the dermis and a source of annoyance. Thereby he calls the political phenomenon: the law of 'domineering callosity! Since this creation of power has a boomerang effect we have rendered it in English as the Law of the Political Boomerang. This law was already implicitly enunciated by Rousseau, Proudhon and Spencer.

The appropriation of power and the 'political boomerang' of the checking power are stronger than the guarantees given by the division of powers and the systems of checks and balances.

This law has a twofold application in the case of Political Representation: (a) Confabulation and (b) Substitution.

(a) The committees or commissions created out of the mass to defend the interests of the community undergo a double process when coming into contact with the ruling body: they 'soften' their original opposition to the rulers and 'harden' their attitude toward the people they represent; for the simple reason that they have a higher esteem of their new position of 'representatives' than they have of their general condition as 'subjects'. Thus the old ruling minority and the new representative (commissioned) minority come to an agreement to the detriment of the community. This over-powering confabulation is perfectly understandable if we consider that what determines the abuse of power is not the idiosyncrasy of individuals but the general tendencies of human nature.

(b) Similarity in views between the 'softened' representatives and the ruling body, or decadence of the latter

go to eliminate gradually or even radically (as it happens in the change from monarchy to republic) the three strata-pattern, reducing it to the original conflict between the ruling body and the mass or community. The 'representatives' are now the rulers (v. g. legislative assembly) and represent the people in as much as they take the decision in the name of the people.

Prof. Perpiná seems to have a gloomy idea of human nature and of the possibility of arriving at a satisfactory solution in the problem of government. He would answer that he is just a realist. Yet he does not deny the possibility of the individual rising above and against these sociological 'laws' through the exercise of human freedom. But his position serves as a warning against the too optimistic and self-complacent attitude of those who take democracy as a 'mantra' capable by itself of preserving the common good and the 'greatest happiness of the greatest number'. Prof. Perpiná's article is rather an abstruse but profound way of reminding us that "eternal vigilance is the price of freedom."

M. A. U.

Social Survey

Wages

A Bill introduced in the Lok Sabha by the Union Minister for Labour seeks to make some very important amendments to the Payment of Wages Act, 1936. Since this Act was passed many changes have taken place in the economic condition of labourers and hence certain changes are imperative.

The original Act applies to those labourers only who earn not more than rupees two hundred a month. It is now proposed to apply the law to persons who are employed on wages not exceeding four hundred rupees a month in any establishment covered by the Act.

A greater number of categories of workers also will be covered by the Act through an addition made to clause (ii) of section three. The new addition (g) reads :

" establishment in which any work relating to the construction, development or maintenance of buildings, roads, bridges, or canals, or relating to operations connected with navigation, irrigation or the supply of water, or relating to the generation, transmission and distribution of electricity or any other form of power is being carried on."

The most important change concerns the definition of the term "wages". The existing definition of the term "wages" has given rise to certain practical difficulties particularly in regard to interpretation of certain words used in the definition. In some cases the High Courts have ruled that the word "wages" did not mean "potential wages" but "wages earned". Nowadays the terms of the payment under contracts of employment are frequently modified by the awards of tribunals or by the terms of binding settlements. The wages revised statutorily through adjudication, arbitration, conciliation or similar statutory process should also be deemed to be wages for purposes of the Act.

The new definition is an elaborate one and is comprehensive and clear. The new clause (vi) states :

"wages" means all remuneration (whether by way of salary, allowances or otherwise) expressed in terms of money or capable of being so expressed which would, if the terms of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes —

- (a) any remuneration payable under any award of settlement between the parties or order of a court.
- (b) any remuneration to which the person employed is entitled in respect of over time work or holidays or any leave period ;
- (c) any additional remuneration payable under the terms of employment (whether called bonus or by any other name) ;
- (d) any sum which by reason of the termination of employment of the person employed is payable under any law, contract or instrument which provides for the payment of such sum, whether with or without deductions, but does not provide for the time within which the payment is to be made ;
- (e) any sum to which the person employed is entitled under any scheme framed under any law for the time being in force ;

But does not include —

- (1) any bonus (whether under a scheme of profit sharing or otherwise) which does not form part of the remuneration payable under the terms of employment or which is not payable under any award of settlement between the parties or order of court ;
- (2) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by a general or special order of the State Government ;
- (3) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon ;
- (4) any travelling allowance or the value of any travelling concession ;
- (5) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment ; or
- (6) any gratuity payable on the termination of employment in cases other than those specified in subclause (d)."

The Amending Act also makes certain other points clearer than they were in the original Act. These include among others the question of deductions made from wages, the payment of insurance premiums, etc.

Corruption

A Bill introduced by the Home Minister seeks to make some changes in the Prevention of Corruption Act, 1947 and in the Criminal Law Amendment Act, 1952. In spite of stringent measures taken, corruption among public servants is on the increase. The Bill

provides for the enhancement of the punishment in cases of corruption. It also brings under its purview employees of certain statutory bodies. The amendment to the Criminal Law deals with certain procedural matters.

The new category of persons to whom the law is extended are all "officers in the service of a local authority or of a trading corporation established by a Central, Provincial or State Act or of a Government company as defined in section 617 of the Companies Act, 1956."

An explanatory note says : "The expression 'trading corporation' includes banking, insurance or financial corporation, a river valley corporation and a corporation for supplying power, light or water to the public."

Section 3 provides for the enhancement of punishment. It reads:

"In the Prevention of Corruption Act, 1947, —

(a) in section 5, for sub-section (2) the following sub-sections shall be substituted, namely :

(2) Any public servant who commits criminal misconduct in the discharge of his duty shall be punishable with imprisonment for the term which shall not be less than one year but which may extend to seven years and shall also be liable to fine ;

Provided that the court may, for any special reason recorded in writing, refrain from imposing a sentence of imprisonment or impose a sentence of imprisonment of less than one year."

Sub-section introduces a minimum sentence.

"(2A) Where a sentence of fine is imposed under sub-section (2), the court, in fixing the amount of fine, shall take into consideration the amount or value of the property which the accused person has obtained by committing the offence of criminal misconduct or where the conviction is based on the presumption under sub-section (3), the pecuniary resources or property referred to in that sub-section for which the accused person is unable to account satisfactorily."

As the law now stands both the person who offers a bribe and the public servant who accepts it are liable to prosecution. For this reason persons are reluctant to report cases of corruption. An amendment is now made to the law which affords protection to those who give evidence against a public servant who accepts illegal gratification. A new section is inserted after section 7. It lays down :

"8. Notwithstanding anything contained in any law for the time being in force, a statement made by a person in any proceeding against a public servant for an offence under section 161 or section 165 of the Indian Penal Code or under sub-section (2) of section 5 of this Act, that he offered or agreed to offer any gratification (other than legal remuneration) or any valuable thing to the public servant, shall not subject such person to a prosecution under section 165-A of the said Code."

The amendment to the Criminal Law Amendment Act, 1952 states that the Special Judge who has to try cases of corruption is deemed to be a magistrate so far as section 350 of the Code of Criminal Procedure, 1898 is concerned.

Unfortunately the amending bill says nothing about the speedy hearing and disposal of cases of corruption. At present such cases drag on for months and even years, causing a great deal of harassment to the accused and to witnesses. Those who are accused innocently, and such cases are by no means rare, are made to suffer a great deal before they are honourably acquitted. Persons in the know are reluctant to report cases of corruption for fear of endless visits to courts over long periods.

Domicile

The Public Employment (Requirement as to Residence) Act, 1957 received the assent of the President of India on 7th December, 1957. It will come into force from a date to be notified by the Central Government in the Official Gazette.

This Act does away with the requirement as to residence demanded by certain State laws for the purpose of appointments. Section 2 of the new law states:

"Upon the commencement of this Act, any law then in force in any State or Union Territory by virtue of clause (b) of article 35 of the Constitution prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, that State or Union Territory any requirement as to residence therein prior to such employment or appointment shall cease to have effect and is hereby repealed."

For a period of five years exemption from this law in certain matters is granted to Andhra Pradesh, Himachal Pradesh, Manipur and Tripura.

This law should help the people of this land feel that they are fellow citizens enjoying equal rights and duties in whichever State of the Union they might have come from originally.

I.N.T.U.C. session in Madurai

The Ninth Annual Session of the Indian National Trade Union Congress was inaugurated on January 1, 1958 by Mr. Gulzarilal Nanda, Union Minister for Planning and Labour. Since the I.N.T.U.C. is the largest trade union federation in the country, its ideology and policies are bound to affect the labour movement profoundly. The keynote speeches of Mr. Gulzarilal Nanda and of Mr. S. R. Vasavada, the President of the I.N.T.U.C., set the tone to the proceedings and practically determined the future policy of the I.N.T.U.C. during the present year.

Mr. Nanda appealed to the working class to bear in mind that in its struggle for a better life, it should not be concerned solely with its immediate occupation and employer, but must extend its interests and attention to embrace the entire ensemble of social and economic factors which together formed the picture of their national economy.

"We closed the First Five-Year Plan," said Mr. Nanda, "with a sense of achievement and confidence in the future. Very early in its course the Second Five-Year Plan has however come up against rough weather. This is partly so because of the far bigger dimensions of the targets laid down for us in this plan. It is partly also because of the turn of events, about which we ourselves could do little. But very largely, the reason for our present embarrassments is that most of us have not yet attuned ourselves to the call of our great future to which destiny opened the door ten years ago when we gained independence."

"This independence," continued Mr. Nanda, "would not have been worth very much if it had led to our settling down to a humdrum level of existence. The struggle which preceded it, under the guiding hand of Mahatma Gandhi, itself bore the message of an economic and social and moral revolution in the country, without which his mission would remain sadly incomplete. We should therefore not be surprised if we see so many signs of ferment around us, because many seeds of economic and social change have been sown in the soil of India. In keeping with the nature and the spirit of the struggle, it was for us to accomplish this revolution peacefully, with the weapons of love, service and sacrifice. The outcome of such a revolution would be the growth of a community of which all the members have a living experience of increasing justice, fellow feeling, harmony and happiness." But the pattern which is emerging before our eyes bears few marks of Gandhiji's Sarvodaya."

F. C. Rodrigues

